

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 ANDREW MAXWELL CLAY, et
11 al.,

12 Plaintiffs,

13 v.

14 HILTON WORLDWIDE
15 HOLDINGS, INC., et al.,

16 Defendants.

CASE NO. C18-1262JLR

ORDER

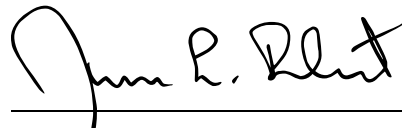
17 Federal Rule of Civil Procedure 4 requires a plaintiff to serve the defendant with a
18 summons and a copy of the plaintiff's complaint and sets forth the specific requirements
19 for doing so. *See* Fed. R. Civ. P. 4. Rule 4(m), which provides the timeframe in which
20 service must be effectuated, states in relevant part:

21 If a defendant is not served within 90 days after the complaint is filed, the
22 court—on motion or on its own after notice to the plaintiff—must dismiss
the action without prejudice against that defendant or order that service be
made within a specified time. But if the plaintiff shows good cause for the
failure, the court must extend the time for service for an appropriate period.

1 *Id.* Here, Plaintiffs have failed to serve Defendants Hilton Hospitality, LLC, Hilton
2 International Holdings, and John and Jane Does 1-5 with a summons and a copy of
3 Plaintiffs' complaint within the timeframe provided in Rule 4(m).

4 Accordingly, the court ORDERS Plaintiffs to SHOW CAUSE within ten (10) days
5 of the date of this order why Defendants Hilton Hospitality, LLC, Hilton International
6 Holdings, and John and Jane Does 1-5 should not be dismissed for failure to comply with
7 Rule 4(m). If Plaintiffs do not demonstrate good cause for the failure, the court will
8 dismiss Defendants Hilton Hospitality, LLC, Hilton International Holdings, and John and
9 Jane Does 1-5 without prejudice.

10 Dated this 10th day of December, 2018.

11
12 

13 JAMES L. ROBART
14 United States District Judge
15
16
17
18
19
20
21
22